

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
OPERATING PERMIT TECHNICAL REVIEW DOCUMENT**

**Permitting and Compliance Division
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**Montana Silversmiths, Inc.
Section 28, Township 2 South, Range 20 East, Stillwater County
1 Sterling Lane
Columbus, MT 59019**

The following table summarizes the air quality programs testing, monitoring, and reporting requirements applicable to this facility.

Facility Compliance Requirements	Yes	No	Comments
Source Tests Required	X		Method 9
Ambient Monitoring Required		X	
COMS Required		X	
CEMS Required		X	
Schedule of Compliance Required		X	
Annual Compliance Certification and Semiannual Reporting Required	X		As applicable
Monthly Reporting Required		X	
Quarterly Reporting Required		X	
Applicable Air Quality Programs			
ARM Subchapter 7 Air Quality Permitting		X	
New Source Performance Standards (NSPS)		X	
National Emission Standards for Hazardous Air Pollutants (NESHAPS)		X	
Maximum Achievable Control Technology (MACT)	X		40 CFR 63, Subpart T
Major New Source Review (NSR) – includes Prevention of Significant Deterioration (PSD) and/or Non-attainment Area (NAA) NSR		X	
Risk Management Plan Required (RMP)		X	
Acid Rain Title IV		X	
Compliance Assurance Monitoring (CAM)		X	
State Implementation Plan (SIP)	X		General SIP

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SECTION I. GENERAL INFORMATION

A. Purpose:

This document establishes the basis for the decisions made regarding the applicable requirements, monitoring plan, and compliance status of emission units affected by the operating permit proposed for this facility. The document is intended for reference during review of the proposed permit by the U.S. Environmental Protection Agency (EPA) and the public. It is also intended to provide background information not included in the operating permit and to document issues that may become important during modifications or renewals of the permit. Conclusions in this document are based on information provided in the original application submitted by Montana Silversmiths, Inc. (Montana Silversmiths) on February 4, 2005.

B. Facility Location:

The Montana Silversmiths facility is located in Section 28, Township 2 South, Range 20 East, Stillwater County. The physical address is 1 Sterling Lane, Columbus, Montana.

C. Facility Background Information:

Montana Silversmiths was not required to obtain a Montana Air Quality Permit because the facility does not emit 25 tons per year of any regulated pollutant. However, Montana Silversmiths is subject to the Title V Operating Permit program because it is a major source of Hazardous Air Pollutants (HAPs).

D. Taking and Damaging Analysis:

HB 311, the Montana Private Property Assessment Act, requires analysis of every proposed state agency administrative rule, policy, permit condition, or permit denial, pertaining to an environmental matter, to determine whether the state action constitutes a taking or damaging of private real property that requires compensation under the Montana or U.S. Constitution. As part of issuing an operating permit, the Department is required to complete a Taking and Damaging Checklist. As required by 2-10-101 through 105, Montana Code Annotated (MCA), the Department has conducted a private property taking and damaging assessment and has determined there are no taking or damaging implications. The checklist was completed on April 15, 2005.

E. Compliance Designation:

Montana Silversmiths is a newly permitted source and no formal inspection of the facility has yet occurred.

SECTION II. SUMMARY OF EMISSION UNITS

A. Facility Process Description:

The facility includes a process building where tanks of methylene chloride are used in the manufacturing process. HAPs emissions result from the product manufacturing process. Methylene chloride is a listed HAP in the Federal Clean Air Act.

B. Emission Units and Pollution Control Device Identification:

The emission units regulated by this permit are the exhaust fans. Currently, Montana Silversmiths is not required to install or operate any air pollution control equipment.

C. Categorically Insignificant Sources/Activities:

The Administrative Rules of Montana (ARM) 17.8.1201(22)(a) defines an insignificant emissions unit as one that emits less than 5 tons per year of any regulated pollutant, has the potential to emit less than 500 pounds per year of lead or any hazardous air pollutant, and is not regulated by an applicable requirement other than a generally applicable requirement.

Montana Silversmiths did not provide a list of insignificant sources and/or activities. Therefore, this permit identifies no insignificant activities. Because there are no requirements to update such a list, the status of such emission units and/or activities may change.

SECTION III. PERMIT CONDITIONS

A. Emission Limits and Standards:

Montana Silversmiths is required to comply with the requirements of 40 Code of Federal Regulations (CFR) 63, Subpart T.

B. Monitoring Requirements:

ARM 17.8.1212(1) requires that all monitoring and analysis procedures or test methods required under applicable requirements are contained in operating permits. In addition, when the applicable requirement does not require periodic testing or monitoring, periodic monitoring must be prescribed that is sufficient to yield reliable data from the relevant time period that is representative of the source's compliance with the permit.

The requirements for testing, monitoring, record keeping, reporting, and compliance certification sufficient to assure compliance does not require the permit to impose the same level of rigor for all emission units. Furthermore, it does not require extensive testing or monitoring to assure compliance with the applicable requirements for emission units that do not have significant potential to violate emission limitations or other requirements under normal operating conditions. When compliance with the underlying applicable requirement for a insignificant emissions unit is not threatened by lack of regular monitoring and when periodic testing or monitoring is not otherwise required by the applicable requirement, the status quo (**i.e., no monitoring**) will meet the requirements of ARM 17.8.1212(1). Therefore, the permit does not include monitoring for insignificant emission units.

The permit includes periodic monitoring or record keeping for each applicable requirement. The information obtained from the monitoring and record keeping will be used by the permittee to periodically certify compliance with the emission limits and standards. However, the Department may request additional testing to determine compliance with the emission limits and standards.

C. Test Methods and Procedures:

The operating permit may not require testing for all sources if routine monitoring is used to determine compliance, but the Department has the authority to require testing if deemed necessary to determine compliance with an emission limit or standard. In addition, the permittee may elect to voluntarily conduct compliance testing to confirm its compliance status.

D. Record keeping Requirements:

The permittee is required to keep all records listed in the operating permit as a permanent business record for at least 5 years following the date of the generation of the record.

E. Reporting Requirements:

Reporting requirements are included in the permit for each emissions unit and Section V of the operating permit "General Conditions" explains the reporting requirements. However, the permittee is required to submit semiannual and annual monitoring reports to the Department and to annually certify compliance with the applicable requirements contained in the permit. The reports must include a list of all emission limit and monitoring deviations, the reason for any deviation, and the corrective action taken as a result of any deviation.

F. Public Notice:

In accordance with ARM 17.8.1232, a public notice was published in the *Billings Gazette* on or before November 5, 2007. The Department provided a 30-day public comment period on the draft operating permit from November 5, 2007, through December 5, 2007. ARM 17.8.1232 requires the Department to keep a record of both comments and issues raised during the public participation process.

The Department did not receive comments from the public or the EPA on the draft version of Operating Permit #OP3395-00.

G. Draft Permit Comments:

Summary of Permittee Comments

Permit Reference	Permittee Comment	Department Response
Section III.B.4 and III.B.5	Draft Permit #OP3395-00 requires semi-annual reporting and annual monitoring reports. Can the permit be changed to annual reporting instead of semi-annual?	Title V Operating Permit #OP3395-00 requires an annual compliance certification report as required by Section V.B of the permit and includes certification of the applicable requirements in Section III.B. The permit also requires semiannual monitoring reports to provide verification of compliance with 40 CFR 63, Subpart T. 40 CFR 63.469(h) requires the facility to submit an exceedance report semiannually, unless it is determined that a more frequent report is required to accurately assess the compliance status of the source, or if an exceedance has occurred. Then, the facility would be required to submit quarterly exceedance reports. Therefore, the reporting requirements remain the same in permit #OP3395-00.

SECTION IV. NON-APPLICABLE REQUIREMENT ANALYSIS

Montana Silversmiths did not request a shield from any of the air quality Administrative Rules of Montana (ARM) or federal regulations (pursuant to ARM 17.8.1214). Therefore, no further analysis of non-applicable requirements is necessary.

SECTION V. FUTURE PERMIT CONSIDERATIONS

A. MACT Standards:

As of November 5, 2007, the Department is unaware of any currently applicable or future MACT Standards, other than 40 CFR 63, Subpart T, that may be promulgated that will affect this facility.

B. NESHAP Standards:

As of November 5, 2007, the Department is unaware of any currently applicable or future NESHAPS Standards, other than 40 CFR 63, Subpart T, that may be promulgated that will affect this facility.

C. NSPS Standards:

As of November 5, 2007, the Department is unaware of any currently applicable or future NSPS Standards that may be promulgated that will affect this facility.

D. Risk Management Plan:

As of November 5, 2007, this facility does not exceed the minimum threshold quantities for any regulated substance listed in 40 CFR 68.115 for any facility process. Consequently, this facility is not required to submit a Risk Management Plan.

If a facility has more than a threshold quantity of a regulated substance in a process, the facility must comply with 40 CFR 68 requirements no later than June 21, 1999; 3 years after the date on which a regulated substance is first listed under 40 CFR 68.130; or the date on which a regulated substance is first present in more than a threshold quantity in a process, whichever is later.